	Application No.	Applicant(s)
Notice of Allowability	09/995,318	GALLAGHER ET AL.
	Examiner	**Art Unit**	
	F. Ryan Zeender	3627	

*-- The **MAILING DATE** of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *communication received 10/31/06*.

2. ☒ The allowed claim(s) is/are *20-22 and 24-33*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☒ Other *Drawings accepted*.

Drawings

The drawings received on 6/30/03 have been approved.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The prior art,

Chong (US5,335,169) discloses a program controlled apparatus for identifying taxable

financial transactions, collecting data based on the transactions, and calculating any

taxes due on the transactions, the apparatus comprising: a first module having a

directory of all jurisdictions by "tax authority code" requiring payment of taxes; a second

module 34 having a directory identifying the taxability of goods by each jurisdiction

through the use of codes; a third module having a directory of tax rates 33, a server

having programming for determining all taxes due on each transaction, and further

teaches the use of sales type codes which would include commodity codes.

Regarding independent claims 20 and 27, Chong lacks the teaching of the

specific hardware configuration including the use of multiple servers on a network with

first, second, and third databases; a sales tax and use tax remittance module including

the specifics of transmitting payment to a government authority; the identity of use and

rental tax rates; the first server comprising an interface module for a merchant system,

and the second server is included in a service provider system; the first server is

operable to electronically contact the second server in the service provider system each

time an accounts payable source system transaction is initiated; and the sales and use

tax computation module is operable to calculate one of an amount of sales or use tax to

pay to the merchant's vendor and an amount of sales or use tax to accrue and report on behalf of the merchant for the initiated transaction.

Regarding independent claims 24 and 31, Chong lacks the teaching of the specific hardware configuration including the use of multiple servers on a network with first, second, and third databases; a sales tax and use tax remittance module including the specifics of transmitting payment to a government authority; the identity of use and rental tax rates; search lines of the transactions to locate those transactions with exempt taxability codes associated with each of the lines of the transactions and a taxpayer invoiced tax amount of zero; search the lines of the transactions to locate those transactions where all ship-to locations are within jurisdictions which do not impose sales or use taxes and with a taxpayer invoiced taxed amount of zero; and search the lines of the transactions to locate those transactions containing a trusted general ledger account for each ship-to state.

The limitations lacking in the prior art, in combination with the other limitations clearly claimed for patent, are novel and unobvious.

The foreign prior art, Uesugi (JP57189265A), teaches a system for calculating an amount of tax utilizing a code.

Regarding independent claims 20 and 27, Uesugi (JP57189265A) lacks the teaching of the specific hardware configuration including the use of multiple servers on

a network with first, second, and third databases; a sales tax and use tax remittance

module including the specifics of transmitting payment to a government authority; the

identity of use and rental tax rates; the first server comprising an interface module for a

merchant system, and the second server is included in a service provider system; the

first server is operable to electronically contact the second server in the service provider

system each time an accounts payable source system transaction is initiated; and the

sales and use tax computation module is operable to calculate one of an amount of

sales or use tax to pay to the merchant's vendor and an amount of sales or use tax to

accrue and report on behalf of the merchant for the initiated transaction.

Regarding independent claims 24 and 31, Uesugi (JP57189265A) lacks the

teaching of the specific hardware configuration including the use of multiple servers on

a network with first, second, and third databases; a sales tax and use tax remittance

module including the specifics of transmitting payment to a government authority; the

identity of use and rental tax rates; search lines of the transactions to locate those

transactions with exempt taxability codes associated with each of the lines of the

transactions and a taxpayer invoiced tax amount of zero; search the lines of the

transactions to locate those transactions where all ship-to locations are within

jurisdictions which do not impose sales or use taxes and with a taxpayer invoiced taxed

amount of zero; and search the lines of the transactions to locate those transactions

containing a trusted general ledger account for each ship-to state.

The limitations lacking in the prior art, in combination with the other limitations

clearly claimed for patent, are novel and unobvious.

The PR Newswire article, DYNAMIC DUO: TAXWARE AND IBM; PARTNERS ON THE Commerce.Net, teaches a system for calculating sales and use tax utilizing jurisdiction data.

Regarding independent claims 20 and 27, the PR Newswire article, DYNAMIC DUO: TAXWARE AND IBM; PARTNERS ON THE Commerce.Net, lacks the teaching of the specific hardware configuration including the use of multiple servers on a network with first, second, and third databases; a sales tax and use tax remittance module including the specifics of transmitting payment to a government authority; the identity of use and rental tax rates; the first server comprising an interface module for a merchant system, and the second server is included in a service provider system; the first server is operable to electronically contact the second server in the service provider system each time an accounts payable source system transaction is initiated; and the sales and use tax computation module is operable to calculate one of an amount of sales or use tax to pay to the merchant's vendor and an amount of sales or use tax to accrue and report on behalf of the merchant for the initiated transaction.

Regarding independent claims 24 and 31, the PR Newswire article, DYNAMIC DUO: TAXWARE AND IBM; PARTNERS ON THE Commerce.Net, lacks the teaching of the specific hardware configuration including the use of multiple servers on a network with first, second, and third databases; a sales tax and use tax remittance module including the specifics of transmitting payment to a government authority; the identity of use and rental tax rates; search lines of the transactions to locate those transactions

with exempt taxability codes associated with each of the lines of the transactions and a taxpayer invoiced tax amount of zero; search the lines of the transactions to locate those transactions where all ship-to locations are within jurisdictions which do not impose sales or use taxes and with a taxpayer invoiced taxed amount of zero; and search the lines of the transactions to locate those transactions containing a trusted general ledger account for each ship-to state.

The limitations lacking in the prior art, in combination with the other limitations clearly claimed for patent, are novel and unobvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (571) 272-6790. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

F. Zeender
24 November 2006

11/27/06

F. RYAN ZEENDER
PRIMARY EXAMINER